

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

**EASTERN DIVISION**

PARK, Yong Kyu, A96 140 923

Plaintiff,

v.

PETER D. KEISLER, Acting Attorney General of  
the United States;  
MICHAEL CHERTOFF, Secretary, Department of  
Homeland Security;  
EMILIO T. GONZALEZ, Director of United  
States of Citizenship and Immigration Services;  
GERARD HEINAUER, Director of Nebraska Service  
Center;  
ROBERT S. MUELLER III, Director of  
Federal Bureau of Investigation;  
ROBERT BLACKWOOD, Field Office Director,  
USCIS Chicago Field Office;  
PATRICK FITZGERALD, U. S. Attorney

Defendants.

**08CV0872**  
**JUDGE DARRAH**  
**MAG. JUDGE COLE**

Civil Action No. \_\_\_\_\_

**FILED**

FEB 11 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**COMPLAINT FOR WRIT OF MANDAMUS**

**To the Honorable Judges of Said Court:**

Plaintiff, **Yong Kyu Park**, through undersigned counsel, allege as follows:

**INTRODUCTION**

1. This is a civil action brought pursuant to 28 U.S.C. §1331, and 28 U.S.C. §1361, to redress the deprivation of rights, privileges and immunities secured to Plaintiff to compel Defendants to perform a duty Defendants owe to Plaintiff. Jurisdiction is also conferred by 5 U.S.C. §701.

2. This action is brought to compel Defendants and those acting under them to

take action on the Applications to Adjust Status, Form I-485, in order for Plaintiff, to become Permanent Resident of the United States.

3. Plaintiff is eligible to have his Application adjudicated.

4. Defendants, the Department of Homeland Security and U.S. Citizenship and Immigration Services, are charged by law with the statutory obligation to adjudicate this Application to Adjust Status, Form I-485.

5. Venue is proper under 28 USC §1391(e) in that this is an action against officers and agencies of the United States in their official capacities, brought in the District where a Defendant resides and where a substantial part of the events or omissions giving rise to Plaintiff's claims occurred. Moreover, the Plaintiff resides in this district and no real property is involved in this action.

#### FACTS

6. Plaintiff is a citizen of South Korea. Plaintiff is the beneficiary of a Petition for Alien Worker, Form I-140, which was approved on November 5, 2002. *See* Exhibit 1 (copy of Form I-140 Approval Notice).

7. Based upon the approved I-140, on December 23, 2002, Plaintiff, his wife(Ji Eun Park), and his child(Seul Ki Park) applied to adjust their status to that of Permanent Resident Aliens by submitting Forms I-485 with Nebraska Service Center. *See* Exhibit 2 (copies of receipt notices of their I-485 applications).

8. Their I-485 applications were then transferred to the Chicago District Office on September 15, 2004. *See* Exhibit 3( copies of transfer notices)

9. On May 19, 2005, Plaintiff and his family appeared and were interviewed by Officer Lisa M. Mahmood of the U.S. Citizenship and Immigration Services, in Chicago, Illinois, pursuant to the adjustment of status process. *See* Exhibit 4 (copies of Interview Notices).

10. At the interview, Officer Mahmood told us that although security checks for other members of family were cleared, Mr. Park's security check had not been cleared and further told them that they all needed to wait until his was cleared.

11. Plaintiff and his family had been patiently waiting on the clearance of

Plaintiff's security check but they had not received any correspondence from the Chicago District Office.

12. Plaintiff has, through his attorney, made several inquiries concerning the status of the application and delays associated with his approval to no avail. *See Exhibit 5* (Inquiries dated July 17, 2006, December 5, 2006, and September 18, 2007)

13. Defendant, the Chicago District Office, responded to our inquires on July 20, 2007, December 12, 2006, and September 25, 2007 stating the background checks on Plaintiff's case are still pending and no other issues are mentioned. *See Exhibit 6* (Responses from the Chicago District Office)

14. Plaintiff has exhausted all his administrative remedies. Plaintiff's Application to Adjust Status, Form I-485, has now been pending for five years and two months since it was filed on December 23, 2005 and it has now been two years and nine months since Plaintiff was interviewed by Officer Mahmood on May 19, 2005.

### **CLAIMS**

1. Defendants have willfully and unreasonably delayed in, and have refused to, adjudicate Plaintiff's Application to Adjust Status, Form I-485, thereby depriving the Plaintiff of the benefit of becoming Permanent Resident of the United States, and the peace of mind he is entitled to;

2. Defendants owe Plaintiff a duty to adjudicate his Application, and have unreasonably failed to perform that duty;

3. Plaintiff has exhausted any administrative remedies that may exist.

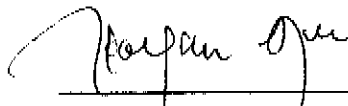
### **WHEREFORE, Plaintiff prays that the Court:**

1. Compel Defendants and those acting under them to perform their duty to adjudicate Plaintiff's Application;

2. Grant such other and further relief as this Court deems proper under the circumstances; and

3. Grant Attorney's fees and costs of Court to Plaintiff under the Equal Access to Justice Act.

Respectfully submitted this 11<sup>th</sup> day of  
February 2008.

  
\_\_\_\_\_

Hongmee Lee

Law Offices of Hongmee Lee, LLC

4001 W. Devon Ave., Suite 204

Chicago, IL 60646

773-427-8870

**LIST OF ATTACHMENTS**

**EXHIBIT**

1. USCIS Visa Petition(I-140) Approval Notice, dated November 5, 2002
2. Receipt Notices of I-485 Applications of Plaintiff and his family members, Young Kyu Park, Ji Eun Park, and Seul Ki Park
3. Transfer Notices of I-485 Applications of Plaintiff and his family members
4. Interview Notices of Plaintiff and his family members
5. Printout of Email Case Status Inquiries sent to the Chicago District Office on July 17, 2006, December 5, 2006, and September 18, 2007
6. Printout of Email Responses received from the Chicago District Office on July 20, 2007, December 12, 2006, and September 25, 2007

## Notice of Action

## THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-02-200-53425		CASE TYPE I140 IMMIGRANT PETITION FOR ALIEN WORKER
RECEIPT DATE June 3, 2002	PRIORITY DATE April 25, 2001	PETITIONER DISCOUNT MEGAMALL CORP
NOTICE DATE November 5, 2002	PAGE 1 of 1	BENEFICIARY PARK, YONG KYU
HONGMEE LEE ATTORNEY AT LAW LAW OFFICES OF HONGMEE LEE 4001 W DEVON AVE SUITE 204 CHICAGO IL 60646		Notice Type: Approval Notice Section: Skilled Worker or Professional, Sec.203(b)(3)(A)(i) or (ii)

The above petition has been approved. The petition indicates that the person for whom you are petitioning is in the United States and will apply for adjustment of status. You or she should contact the local INS office to obtain Form I-485, Application for Permanent Residence. A copy of this notice should be submitted with the application, with appropriate fee, to this Service Center. Additional information about eligibility for adjustment of status may be obtained from the local INS office serving the area where he or she lives, or by calling 1-800-375-5283.

If the person for whom you are petitioning decides to apply for a visa outside the United States based on this petition, the petitioner should file Form I-824, Application for Action on an Approved Application or Petition, with this office to request that we send the petition to the Department of State National Visa Center (NVC).

The NVC processes all approved immigrant visa petitions that require consular action. The NVC also determines which consular post is the appropriate consulate to complete visa processing. It will then forward the approved petition to that consulate.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 402-323-7830



Exhibit 1

## THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-03-075-51899		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE December 23, 2002	PRIORITY DATE	APPLICANT A96 140 923 PARK, YONG KYU
NOTICE DATE January 6, 2003	PAGE 1 of 1	
HONGMEE LEE ATTORNEY AT LAW LAW OFFICES OF HONGMEE LEE 4001 W DEVON AVE SUITE 204 CHICAGO IL 60646		Notice Type: Receipt Notice  Amount received: \$ 1305.00 Section: Adjustment as direct beneficiary of immigrant petition
<p>The above application or petition has been received. It usually takes 150 to 180 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.</p> <p>We will send you a written notice as soon as we make a decision on this case. You can also use the phone number 402-323-7830 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).</p> <p>If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call our TDD at 1-800-767-1833.</p> <p>If you have access to the Internet, you can also visit the INS at <a href="http://www.ins.usdoj.gov">www.ins.usdoj.gov</a>. Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.</p>		

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 402-323-7830



Exhibit 2

## THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-03-075-51996		CASE TYPE I-485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE December 23, 2002	PRIORITY DATE	APPLICANT A96 162 920 PARK, JI EUN
NOTICE DATE January 6, 2003	PAGE 1 of 1	
HONGMEE LEE ATTORNEY AT LAW LAW OFFICES OF HONGMEE LEE 4001 W DEVON AVE SUITE 204 CHICAGO IL 60646		Notice Type: Receipt Notice  Amount received: \$ 1305.00  Section: Derivative adjustment
<p>The above application or petition has been received. It usually takes 450 to 480 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.</p> <p>We will send you a written notice as soon as we make a decision on this case. You can also use the phone number 402-323-7830 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).</p> <p>If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call our TDD at 1-800-767-1833.</p> <p>If you have access to the Internet, you can also visit the INS at <a href="http://www.ins.usdoj.gov">www.ins.usdoj.gov</a>. Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.</p>		

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 402-323-7830



## THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-03-075-52048		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE December 23, 2002	PRIORITY DATE	APPLICANT A96 162 921 PARK, SEUL KI
NOTICE DATE January 6, 2003	PAGE 1 of 1	
HONGMEE LEE ATTORNEY AT LAW LAW OFFICES OF HONGMEE LEE 4001 W DEVON AVE SUITE 204 CHICAGO IL 60646		Notice Type: Receipt Notice  Amount received: \$ 305.00  Section: Derivative adjustment

The above application or petition has been received. It usually takes 450 to 480 days from the date of this receipt for us to process this type of case. Please notify us immediately if any of the above information is incorrect.

We will send you a written notice as soon as we make a decision on this case. You can also use the phone number 402-323-7830 to obtain case status information direct from our automated system 24 hours a day with a touch-tone phone and the receipt number for this case (at the top of this notice).

If you have other questions about possible immigration benefits and services, filing information, or Immigration and Naturalization Service forms, please call the INS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call our TDD at 1-800-767-1833.

If you have access to the Internet, you can also visit the INS at [www.ins.usdoj.gov](http://www.ins.usdoj.gov). Here you can find valuable information about forms and filing instructions, and about general immigration services and benefits. At present, this site does not provide case status information.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521

LINCOLN NE 68501-2521

Customer Service Telephone: 402-323-7830





RECEIPT NUMBER LIN-03-075-51899		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE January 6, 2003	PRIORITY DATE	APPLICANT A96 140 923 PARK, YONG KYU
NOTICE DATE September 15, 2004	PAGE 1 of 1	
YONG KYU PARK 704 LARAMIE AVE WILMETTE IL 60091		Notice Type: Transfer Notice

This is to advise you that in order to speed processing we have transferred the above case to the following INS office for processing.

Room 218, 10 West Jackson Blvd, Chicago, IL 60604

Telephone: (312) 353-7334

That office will notify you of the decision made on the application or petition. Any further inquiries should be made to that office.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 800-375-5283





RECEIPT NUMBER LIN-03-075-51996		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE January 6, 2003	PRIORITY DATE	APPLICANT A96 162 920 PARK, JI EUN
NOTICE DATE September 15, 2004	PAGE 1 of 1	

JI EUN PARK  
704 LARAMIE AVE  
WILMETTE IL 60091

Notice Type: Transfer Notice

This is to advise you that in order to speed processing we have transferred the above case to the following INS office for processing:

Room 218, 10 West Jackson Blvd, Chicago, IL 60604

Telephone: (312) 353-7334

That office will notify you of the decision made on the application or petition. Any further inquiries should be made to that office.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 800-375-5283



Department of Homeland Security  
U.S. Citizenship and Immigration Services

I-797C, Notice of Action

# THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-03-075-52048		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE January 6, 2003	PRIORITY DATE	APPLICANT A96-162 921 PARK, SEUL KI
NOTICE DATE September 15, 2004	PAGE 1 of 1	
SEUL KI PARK 704 LARAMIE AVE WILMETTE IL 60091		Notice Type: Transfer Notice

This is to advise you that in order to speed processing we have transferred the above case to the following INS office for processing:

Room 218, 10 West Jackson Blvd, Chicago, IL 60604

Telephone: (312) 353-7334

That office will notify you of the decision made on the application or petition. Any further inquiries should be made to that office.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 800-375-5283



U.S. Citizenship  
and Immigration  
ServicesYONG KYU PARK  
704 LARAMIE AVE.  
WILMETTE, IL 60091Date: March 28, 2005  
File Number: 96140923**Appointment Notice**

You are scheduled for an interview regarding your I-485 Application to Adjust Status to that of a lawful permanent resident. Please appear with your petitioner on 5/19/2005 at 8:10:00 AM. Your local USCIS office is located at: 230 S. Dearborn Street, 2<sup>nd</sup> Floor, Chicago, Illinois.

**PLEASE READ THE INSTRUCTIONS BELOW:**

**IF YOU DO NOT SPEAK ENGLISH PLEASE BRING AN ADULT TRANSLATOR  
(FAMILY MEMBERS AND ATTORNEYS ARE NOT ACCEPTABLE TRANSLATORS)**

**YOU MUST BRING ORIGINALS AND COPIES OF THE FOLLOWING DOCUMENTS:**

- **MEDICAL EXAMINATION FORM I-693 IN A SEALED ENVELOPE**
- **AFFIDAVIT OF SUPPORT FORM I-864 (WITH YOUR TAX RETURNS FOR THE LAST 3 YEARS, W-2's and current job letter) .**
- **CERTIFIED COURT DISPOSITIONS** (for ALL arrests, no matter how long ago the arrest occurred)
- 2 Color ADIT-Style photographs
- Photo Identification for yourself and your petitioner
- **Your employment authorization card**
- English translations of any foreign documents (Use certified translators only)
- Proof of legal entry into the United States, passport and/or proof of payment of I-485 Supplement A.
- Birth certificates for beneficiary, petitioner and ALL children
- Marriage certificates (If married previously, proof of termination of ALL previous marriages)
- **If applying based on marriage to a U.S. citizen or lawful permanent resident:**
  - Wedding or family photos
  - Proof of joint residence (i.e., mortgages, leases, and utility bills)
  - Proof of joint credit and joint purchases
  - Bank statements and credit card statements
  - Proof of medical, dental, and life insurance

Failure to appear for the scheduled interview will be deemed an abandonment of the application and will result in a denial of the application pursuant to 8 CFR 103.2(b)(13).

Sincerely,

Michael M. Comfort  
District DirectorLAW OFFICES OF HONGMEE LEE  
4001 W. DEVON AVE., SUITE 204  
CHICAGO IL 60646

Examiner: 4

**For Questions and Concerns Contact:** Website: [www.uscis.gov](http://www.uscis.gov), Telephone: 1-800-375-5283, TTY: 312

-Exhibit 4

U.S. Citizenship  
and Immigration  
ServicesJI EUN PARK  
704 LARAMIE AVE.  
WILMETTE, IL 60091Date: March 28, 2005  
File Number: 96162920**Appointment Notice**

You are scheduled for an interview regarding your I-485 Application to Adjust Status to that of a lawful permanent resident. Please appear with your petitioner on 5/19/2005 at 9:00:00 AM. Your local USCIS office is located at: 230 S. Dearborn Street, 2<sup>nd</sup> Floor, Chicago, Illinois.

**PLEASE READ THE INSTRUCTIONS BELOW:**

**IF YOU DO NOT SPEAK ENGLISH PLEASE BRING AN ADULT TRANSLATOR**  
**(FAMILY MEMBERS AND ATTORNEYS ARE NOT ACCEPTABLE TRANSLATORS)**  
**YOU MUST BRING ORIGINALS AND COPIES OF THE FOLLOWING DOCUMENTS:**

- **MEDICAL EXAMINATION FORM I-693 IN A SEALED ENVELOPE**
- **AFFIDAVIT OF SUPPORT FORM I-864 (WITH YOUR TAX RETURNS FOR THE LAST 3 YEARS, W-2's and current job letter)**
- **CERTIFIED COURT DISPOSITIONS** (for ALL arrests, no matter how long ago the arrest occurred)
- 2 Color ADIT-Style photographs
- Photo Identification for yourself and your petitioner
- **Your employment authorization card**
- English translations of any foreign documents (Use certified translators only)
- Proof of legal entry into the United States, passport and/or proof of payment of I-485 Supplement A.
- Birth certificates for beneficiary, petitioner and ALL children
- Marriage certificates (If married previously, proof of termination of ALL previous marriages)
- **If applying based on marriage to a U.S. citizen or lawful permanent resident:**
  - Wedding or family photos
  - Proof of joint residence (i.e., mortgages, leases, and utility bills)
  - Proof of joint credit and joint purchases
  - Bank statements and credit card statements
  - Proof of medical, dental, and life insurance

Failure to appear for the scheduled interview will be deemed an abandonment of the application and will result in a denial of the application pursuant to 8 CFR 103.2(b)(13).

Sincerely,

Michael M. Comfort  
District DirectorLAW OFFICES OF HONGMEE LEE  
4001 W. DEVON AVE., SUITE 204  
CHICAGO IL 60646

Examiner: 4

**For Questions and Concerns Contact:** Website: [www.uscis.gov](http://www.uscis.gov), Telephone: 1-800-375-5283, TTY: 312-385-1813

U.S. Department of Homeland Security  
10 West Jackson Boulevard  
Chicago, IL 60604



U.S. Citizenship  
and Immigration  
Services

SEUL KI PARK  
704 LARAMIE AVE.  
WILMETTE, IL 60091

Date: March 28, 2005  
File Number: 96162921

### **Appointment Notice**

You are scheduled for an interview regarding your I-485 Application to Adjust Status to that of a lawful permanent resident. Please appear with your petitioner on 5/19/2005 at 8:35:00 AM. Your local USCIS office is located at: 230 S. Dearborn Street, 2<sup>nd</sup> Floor, Chicago, Illinois.

**PLEASE READ THE INSTRUCTIONS BELOW:**

**IF YOU DO NOT SPEAK ENGLISH PLEASE BRING AN ADULT TRANSLATOR  
(FAMILY MEMBERS AND ATTORNEYS ARE NOT ACCEPTABLE TRANSLATORS)**

**YOU MUST BRING ORIGINALS AND COPIES OF THE FOLLOWING DOCUMENTS:**

- **MEDICAL EXAMINATION FORM I-693 IN A SEALED ENVELOPE**
- **AFFIDAVIT OF SUPPORT FORM I-864 (WITH YOUR TAX RETURNS FOR THE LAST 3 YEARS, W-2's and current job letter) .**
- **CERTIFIED COURT DISPOSITIONS** (for ALL arrests, no matter how long ago the arrest occurred)
- 2 Color ADIT-Style photographs
- Photo Identification for yourself and your petitioner
- **Your employment authorization card**
- English translations of any foreign documents (Use certified translators only)
- Proof of legal entry into the United States, passport and/or proof of payment of I-485 Supplement A.
- Birth certificates for beneficiary, petitioner and ALL children
- Marriage certificates (If married previously, proof of termination of ALL previous marriages)
- **If applying based on marriage to a U.S. citizen or lawful permanent resident:**
  - Wedding or family photos
  - Proof of joint residence (i.e., mortgages, leases, and utility bills)
  - Proof of joint credit and joint purchases
  - Bank statements and credit card statements
  - Proof of medical, dental, and life insurance

Failure to appear for the scheduled interview will be deemed an abandonment of the application and will result in a denial of the application pursuant to 8 CFR 103.2(b)(13).

Sincerely,

Michael M. Comfort  
District Director

LAW OFFICES OF HONGMEE LEE  
4001 W. DEVON AVE., SUITE 204  
CHICAGO IL 60646

Examiner: 4

**For Questions and Concerns Contact:** Website: [www.uscis.gov](http://www.uscis.gov), Telephone: 1-800-375-5283, TTY: 312-385-1813



# YAHOO! SMALL BUSINESS

Print - Close Window

**Date:** Mon, 17 Jul 2006 08:19:10 -0700 (PDT)  
**From:** "Hongmee Lee" <admin@limmin.com>  
**Subject:** A096 140 923- Park, Yong Kyu  
**To:** "Chicago District Office Inquiry E-mail" <chi-attynqr@dhs.gov>

Dear Officer:

## POST-INTERVIEW CASE (Employment-based I-485: Priority Date is Current.)

My client had an adjustment interview on 05/19/2005. It has been close to 14 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name: Park, Yong Kyu  
A#: 096 140 923  
Date of Interview: 05/19/2005  
Interviewer: Officer Mahmood  
Case Type: Employment based  
DOB: 01/23/1958  
Country of Birth: South Korea  
Address: 1749 Happ Rd.  
Northbrook, IL 60062  
Priority Date: 04/25/2001

Thank you.

Contact Information:  
Hongmee Lee, Ph.D. J.D.  
Law Offices of Hongmee Lee, LLC  
4001 W. Devon Ave., Suite 204, Chicago, IL 60646  
Tel: 773-427-8870  
Fax: 773-427-8873  
[hongmeelee@cs.com](mailto:hongmeelee@cs.com)

### Attachments

### Photos:

**Exhibit 5**



# **YAHOO! SMALL BUSINESS**

Email

Print - Close Window

**Date:** Tue, 5 Dec 2006 09:43:55 -0800 (PST)  
**From:** "Hongmee Lee" <admin@limmin.com>  
**Subject:** Inquiry- A096 140 923 Park, Yong Kyu  
**To:** cao.pilot@dhs.gov

Dear Officer:

## **POST-INTERVIEW CASE**

### **(Employment-based I-485: Priority Date is Current.)**

Please be advised that I am the attorney of record. My client had an adjustment interview on 05/19/2005. It has been close to 19 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name: Park, Yong Kyu  
A#: 096 140 923  
Date of Interview: 05/19/2005  
Interviewer: Officer Mahmood  
Case Type: Employment based  
DOB: 01/23/1958  
Country of Birth: South Korea  
Address: 1749 Happ Rd.  
Northbrook, IL 60062  
Priority Date: 04/25/2001

Thank you.

Hongmee Lee, PH.D.,J.D.

Law Offices of Hongmee Lee, LLC  
4001 W. Devon Ave. #204  
Chicago, IL 60646  
773-427-8870(T)  
773-427-8873(F)  
admin@limmin.com

**YAHOO!** SMALL BUSINESS  
CLASSIC

Print - Close Window

**Date:** Tue, 18 Sep 2007 11:06:20 -0700 (PDT)  
**From:** "Hongmee Lee" <admin@limmin.com>  
**Subject:** Status Inquiry-Park, Yong Kyu A096 140 923  
**To:** Robert.Blackwood@dhs.gov

Dear Officer:

**POST-INTERVIEW CASE**

**(Employment-based I-485: Priority Date is Current.)**

Please be advised that I am the attorney of record. My client had an adjustment interview on 05/19/2005. It has been close to 28 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name: Park, Yong Kyu  
A#: 096 140 923  
Date of Interview: 05/19/2005  
Interviewer: Officer Mahmood  
Case Type: Employment based  
DOB: 01/23/1958  
Country of Birth: South Korea  
Address: 1749 Happ Rd.  
Northbrook, IL 60062  
Priority Date: 04/25/2001

Thank you.

Hongmee Lee, PH.D.,J.D.

Law Offices of Hongmee Lee, LLC  
4001 W. Devon Ave. #204  
Chicago, IL 60646  
773-427-8870(T)  
773-427-8873(F)  
admin@limmin.com

# YAHOO! SMALL BUSINESS

Print - Close Window

**Subject:** RE: A096 140 923- Park, Yong Kyu  
**Date:** Thu, 20 Jul 2006 16:02:00 -0500  
**From:** "Chi-AttyResponse2" <CHI-ATTYRESPONSE2@dhs.gov>  
**To:** admin@limmin.com

10 W. Jackson Blvd.  
Chicago, IL 60604

*Name Check*



July 20, 2006

The Law Offices of  
Hongmee Lee, LLC  
4001 W. Devon Ave., Suite 204  
Chicago, IL 60646

Re: A96 140 923 - Park, Yong

Dear Hongmee Lee,

The United States Citizenship and Immigration Services (USCIS) Chicago District Office is responding to your inquiry. Our information shows that the background investigation conducted by the Federal Bureau of Investigations (FBI) for your client has not yet been completed. We may not proceed with the adjudication of the application or petition until the FBI completes their process and our records are updated with the results. It is uncertain the time-period it takes for the results to be electronically submitted to USCIS and updated in our national records.

We understand your frustration in the delaying of the decision, however, in order to fulfill USCIS mission to provide immigration benefits and services to the public, we must balance our obligations to the individual applicant against our obligations to the public, as a whole. While we strive to process applications timely and fairly, we must also ensure that our policies and procedures will safeguard the public. Consequently, we have adopted background security check procedures that address a wide range of possible risk factors, requiring various levels of scrutiny based on the type of application under consideration.

Given the number of applications submitted and the significance of immigration benefits, it is inevitable that some applications will require more attention than others. USCIS relies primarily on three background check mechanisms: the Interagency Border Inspection System (IBIS) name check, the FBI fingerprint check, and the FBI name check. For the vast majority of applicants, these mechanisms allow USCIS to quickly determine whether there are any criminal or security related eligibility issues. In the remaining cases, often referred to as "pending," a match of some kind has been identified and must be resolved before any decision can be made on the petition. USCIS

**Exhibit 6**

does not share with applicants or their representative's information regarding the specific nature of the match or the nature or status of any investigation.

Please be assured that every case that is pending a background investigation is checked weekly for results to keep the adjudication process ongoing and timely. We are allowed to resubmit names pending over 90 days only if the name does not appear in the FBI database after 90 days of submission. If requesting an expedite processing of the background investigation your constituent must provide a written request with an explanation directed to the District Director for consideration with supporting evidence. The FBI will only expedite the processing if your constituent is in the military, an "age-out", diversity (DV) lottery winner meeting the deadline date or for compelling reasons.

Again, it is difficult to predict with accuracy when the clearance will be updated in our records. Please be assured that every effort is being made to render a final decision in a timely manner.

Sincerely,



Ruth A. Dorochoff  
Acting District Director

RAD: DEA  
Thank you for contacting USCIS Customer Service

-----Original Message-----

**From:** Hongmee Lee [mailto:admin@limmin.com]  
**Sent:** Monday, July 17, 2006 10:19 AM  
**To:** Chicago District Office Inquiry E-mail  
**Subject:** A096 140 923- Park, Yong Kyu

Dear Officer:

**POST-INTERVIEW CASE**  
**(Employment-based I-485: Priority Date is Current.)**

My client had an adjustment interview on 05/19/2005. It has been close to 14 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name:	Park, Yong Kyu
A#:	096 140 923
Date of Interview:	05/19/2005
Interviewer:	Officer Mahmood
Case Type:	Employment based
DOB:	01/23/1958
Country of Birth:	South Korea
Address:	1749 Happ Rd.

Northbrook, IL 60062

Priority Date: 04/25/2001

Thank you.

Contact Information:

Hongmee Lee, Ph.D. J.D.

Law Offices of Hongmee Lee, LLC

4001 W. Devon Ave., Suite 204, Chicago, IL 60646

Tel: 773-427-8870

Fax: 773-427-8873

[hongmeelee@cs.com](mailto:hongmeelee@cs.com)

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**Subject:** RE: Inquiry- A096 140 923 Park, Yong Kyu

**Date:** Tue, 12 Dec 2006 15:49:59 -0500

**From:** "CAO PILOT" <CAO.Pilot@dhs.gov>

**To:** "Hongmee Lee" <admin@limmin.com>

Dear Mr. Lee:

Thank you for your e-mail to the U.S. Citizenship and Immigration Services (USCIS). The following response is provided for your information/action.

The processing of your client's case has been delayed. A check of our records establishes that the case is not yet ready for decision, as the FBI's name check is still pending. Therefore, the required investigation into your client's background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within six months of the date of this letter, please contact customer service at 1-800-375-5283.

In addition, based on the information you provided in your inquiry, it appears you are interested in information about how to report a change of address with USCIS.

When and how to report your change of address to USCIS depends on many factors, including: your immigration status, whether you have a case pending with us, and, if you are a U.S. Citizen or permanent resident, whether you previously financially sponsored someone who has immigrated to the U.S.

Always wait until the move has been completed before reporting a new address to us, but please let us know that of the move as soon as possible after settling in the new residence.

Fact Sheet G-3, *How Do I Change My Address with USCIS?*, contains additional important information about when and how to report a change of address to us. You can download a copy by going to [http://www.uscis.gov/files/article/G3\\_English.pdf](http://www.uscis.gov/files/article/G3_English.pdf).

If you require additional assistance, forms and/or filing instructions, we invite you to visit our web site at [www.uscis.gov](http://www.uscis.gov) or contact customer service at 1-800-375-5283.

We trust that this information is helpful.

Sincerely,

**Lorraine Silva**

Customer Assistance Office  
U.S. Citizenship and Immigration Services

-----Original Message-----

**From:** Hongmee Lee [mailto:admin@limmin.com]

**Sent:** Tuesday, December 05, 2006 12:44 PM

**To:** Pilot, Cao

**Subject:** Inquiry- A096 140 923 Park, Yong Kyu

Dear Officer:

**POST-INTERVIEW CASE**

**(Employment-based I-485: Priority Date is Current.)**

Please be advised that I am the attorney of record. My client had an adjustment interview on 05/19/2005. It has been close to 19 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name: Park, Yong Kyu  
A#: 096 140 923  
Date of Interview: 05/19/2005  
Interviewer: Officer Mahmood  
Case Type: Employment based  
DOB: 01/23/1958  
Country of Birth: South Korea  
Address: 1749 Happ Rd.  
Northbrook , IL 60062  
Priority Date: 04/25/2001

Thank you.

Hongmee Lee, PH.D.,J.D.

Law Offices of Hongmee Lee, LLC  
4001 W. Devon Ave. #204  
Chicago, IL 60646  
773-427-8870(T)  
773-427-8873(F)  
admin@limmin.com

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**Attachments**

**Files:**



**Nat\_Corresp\_Unit\_Feedback.doc** (24k) [Preview]

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**Subject:** RE: Status Inquiry-Park, Yong Kyu A096 140 923  
**Date:** Tue, 25 Sep 2007 09:37:18 -0400  
**From:** "Blackwood, Robert L" <Robert.Blackwood@dhs.gov>  
**To:** admin@limmin.com

The name check on this case remains pending.

**Robert Blackwood**  
Field Office Director  
USCIS District 14 ( Chicago Field Office)  
101 W Congress Pkwy, Chicago , IL 60605  
Phone: (312) 239-5615 Fax: (312) 705-6810

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**From:** Hongmee Lee [mailto:admin@limmin.com]  
**Sent:** Friday, September 21, 2007 11:12 AM  
**To:** Blackwood, Robert L  
**Subject:** RE: Status Inquiry-Park, Yong Kyu A096 140 923

Dear Blackwood,

I have scanned and attached my business card.

Hongmee Lee

**" Blackwood, Robert L " <Robert.Blackwood@dhs.gov> wrote:**

I have not had this e-mail system of inquiring in place for two years. I must be able to verify the person I'm releasing information to. Do you have a business card you can scan for me?

**Robert Blackwood**  
Field Office Director  
USCIS District 14 ( Chicago Field Office)  
101 W Congress Pkwy , Chicago , IL 60605  
Phone: (312) 239-5615 Fax: (312) 705-6810

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**From:** Hongmee Lee [mailto:admin@limmin.com]  
**Sent:** Friday, September 21, 2007 9:51 AM  
**To:** Blackwood, Robert L  
**Subject:** RE: Status Inquiry-Park, Yong Kyu A096 140 923

Dear Blackwood,

I am the attorney of record for this case.



I have attached G-28 for verification.  
I have been using this e-mail address for more than 2 years.  
This e-mail address is not a "generic" e-mail account.  
Please review this case and advise.  
Thank you.

Hongmee Lee

" **Blackwood, Robert L** " <[Robert.Blackwood@dhs.gov](mailto:Robert.Blackwood@dhs.gov)> wrote:

No information can be provided as it appears this message was received from a "generic" e-mail account and not the account of the attorney of record.

**Robert Blackwood**

Field Office Director  
USCIS District 14 ( Chicago Field Office)  
101 W Congress Pkwy , Chicago , IL 60605  
Phone: (312) 239-5615 Fax: (312) 705-6810

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**From:** Hongmee Lee [[mailto: admin@limmin.com](mailto:admin@limmin.com) ]  
**Sent:** Tuesday, September 18, 2007 1:06 PM  
**To:** Blackwood, Robert L  
**Subject:** Status Inquiry-Park, Yong Kyu A096 140 923

Dear Officer:

**POST-INTERVIEW CASE**

**(Employment-based I-485: Priority Date is Current.)**

Please be advised that I am the attorney of record. My client had an adjustment interview on 05/19/2005. It has been close to 28 months since the interview and this case is still pending. Please note his priority date (04/25/2001) is current. Please review his file and approve his case as soon as possible. The following is his information:

Name: Park, Yong Kyu  
A#: 096 140 923  
Date of Interview: 05/19/2005  
Interviewer: Officer Mahmood  
Case Type: Employment based  
DOB: 01/23/1958  
Country of Birth: South Korea  
Address: 1749 Happ Rd.  
Northbrook , IL 60062  
Priority Date: 04/25/2001

Thank you.

Hongmee Lee, PH.D.,J.D.

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